

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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5:19-mc-17

IN THE MATTER OF A GRAND  
JURY INVESTIGATION  
OF GOOGLE CELL PHONE NUMBER  
(605)-840-8612 (IMEI:357021096589994)

MOTION FOR NONDISCLOSURE

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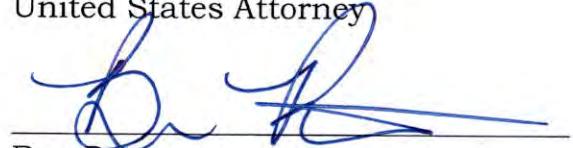
The United States respectfully applies for an order of nondisclosure to Google Inc. under 18 U.S.C. § 2705(b) regarding the above account.

The United States has sought a subpoena for subscriber information, including all names, addresses, IP addresses, including historical, telephone numbers, other email addresses, information on length and types of services and any means of payment related to these accounts under the authority given by 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A). Based on § 2703(c)(3), the United States is not required to provide notice to the subscribers. Under § 2705(b), the United States may apply to the court for an order commanding Google Inc. not to notify the subscriber or any other person of the existence of the subpoena. The court may decide what length of time shall apply to the order of nondisclosure if the court determines the notification to the subscriber could result in one of the five factors listed in the statute, which includes destruction of or tampering with evidence. 18 U.S.C. § 2705(b)(3).

The basis for the request is that such disclosure could cause any person with access to the account, or any related account or account information, to tamper with or modify the content or account information and thereby destroy or tamper with evidence and otherwise seriously jeopardize the investigation.

Dated this 7th day of May, 2019.

RONALD A. PARSONS, JR.  
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ORDER FOR NONDISCLOSURE

The United States having established sufficient cause for delayed notification, I find that immediate notification to the subscribers or others of the existence of the subpoena may have an adverse result listed in 18 U.S.C. § 2705(b), it is hereby;

ORDERED Google Inc. shall not notify any other person, including the subscriber, for cell phone number (605)-840-8612 (IMEI:357021096589994) of the existence of the previously served subpoena, related to said account, for 180 days.

Dated this 7<sup>th</sup> day of May, 2019.

BY THE COURT:

  
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DANETA WOLLMANN  
U.S. Magistrate Judge